



OPPTA's Indiana Register Summary June 1, 2003

Final Rules

Water Pollution Control Board

[LSA #01-348\(F\), 26 IR 2808](#)

327 IAC 8

Amends 327 IAC 8-2 and 327 IAC 8-2.1 and adds 327 IAC 8-2.5 and 327 IAC 8-2.6 concerning interim enhanced surface water treatment, disinfectants/disinfection byproducts, and filter backwash. On December 16, 1998, U.S. EPA published National Drinking Water Regulations for Interim Enhanced Surface Water Treatment. These regulations make changes to the Indiana surface water treatment rule as published April 12, 1993. These changes are being made to improve implementation of the rule. The intended effect of the rule is to strengthen microbial protection, including provisions specifically to address *Cryptosporidium*, and to address risk trade-offs with disinfection byproducts. Also on December 16, 1998, U.S. EPA published National Drinking Water Regulations for Disinfectants and Disinfection Byproducts. These regulations update the 1979 regulations for total trihalomethanes. In addition, these regulations will reduce exposure to three disinfectants (chlorine, chloramine, and chlorine dioxide) and many disinfection byproducts. On June 8, 2001, U.S. EPA published National Drinking Water Regulations for Filter Backwash Recycling. These regulations address a statutory requirement of the 1996 Safe Drinking Water Act (SDWA) Amendments to promulgate a regulation which "governs" the recycling of filter backwash water within the treatment process of public water systems. The purpose of these regulations is to further protect public health by requiring public water systems, where needed, to institute changes to the return of recycle flows to plant's treatment process that may otherwise compromise microbial control. Indiana is required to adopt all of these revisions in order to maintain primacy (primacy enforcement authority) for the Safe Drinking Water Program. This rule became effective 30 days after filing with the secretary of state. (Filed with Secretary of State May 1, 2003)

Emergency Rules

Water Pollution Control Board

[LSA #03-127\(E\), 26 IR 3066](#)

327 IAC 5-4-3 and 327 IAC 15-15

Temporarily amends provisions at 327 IAC 5-4-3 and adds provisions at 327 IAC 15-15. Authority: IC4-22-2-37.1 (a)(14). This became effective May 14, 2003.

Change in Notice of Public Hearing

Air Pollution Control Board

[LSA #03-68\(APCB\), 26 IR 3073](#)

326 IAC 2-2-1, 326 IAC 2-2-6 and 326 IAC 2-2-12

The Air Pollution Control Board gives notice that the date of the public hearing for consideration of preliminary adoption of #03-68(APCB), printed at **26 IR 2477**, has been changed. Notice is hereby given that on September 3, 2003 at 1:00 p.m., at the Indiana Government Center-South, 402 West Washington Street, Conference Room C, Indianapolis, Indiana the Air Pollution Control Board will hold a public hearing on amendments to 326 IAC 2-2-1, 326 IAC 2-2-6, and 326 IAC 2-2-12. Additional information regarding this action may be obtained from Chris Pedersen, Rules Development Section, Office of Air Quality, (317) 233-6868 or (800) 451-6027, press 0, and ask for extension 3-6868 (in Indiana).

Solid Waste Management Board

[LSA #00-185, 26 IR 3073](#)

329 IAC 10

The Solid Waste Management Board hereby gives notice that the date of the public hearing for consideration of proposed rule LSA Document #00-185, printed at **26 IR 430**, November 1, 2002 has been

changed. Notice is hereby given that on June 17, 2003 1:30 p.m., at the Indiana Government Center-South, 402 West Washington Street, Conference Center Room A, Indianapolis, Indiana the Solid Waste Management Board will hold a public hearing on amendments to 329 IAC 10. This rulemaking concerns substantive changes to the rules for municipal solid waste landfills. Additional information regarding this action may be obtained from Pam Koons, Rules, Planning and Outreach Section, Office of Land Quality, (317) 232-8899 or (800) 451-6027 (in Indiana).

LSA #01-161, 26 IR 3073

329 IAC 9

The Solid Waste Management Board (board) gives notice that the date of the public hearing for consideration of final adoption of LSA Document #01-161, printed at 26 IR 1962, has been changed. Notice is hereby given that on June 17, 2003 at 1:30 p.m., at the Indiana Government Center-South, 402 West Washington Street, Conference Center Room A, Indianapolis, Indiana, the Solid Waste Management Board will hold a public hearing on amendments to rules for underground storage tanks at 329 IAC 9. The hearing for final adoption concerning amendments to rules for underground storage tanks at 329 IAC 9, printed at **26 IR 1201**, was opened on February 18, 2003, and continued to the March 18, 2003 board meeting. Because no board business could be conducted at the March 18, 2003 board meeting, the hearing was continued to the April 15, 2003 board meeting. Because the April 15, 2003 board meeting was canceled, the hearing was renoticed for the May board meeting. Because the May board meeting is being canceled, the hearing is renoticed for the board meeting of June 17, 2003. Additional information regarding this action may be obtained from Lynn West, Rules, Planning, and Outreach Section, Office of Land Quality, (317) 232-2593 or (800) 451-6027, press 0 and ask for ext, 2-3593 (in Indiana).

LSA #02-235, 26 IR 3074

329 IAC 3.1

The Solid Waste Management Board hereby gives notice that the date of the public hearing for consideration of final adoption of LSA Document #02-235, printed at **26 IR 1239**, has been changed. Notice is hereby given that on June 17, 2003 at 1:30 p.m., at the Indiana Government Center-South, 402 West Washington Street, Conference Center Room A, Indianapolis, Indiana the Solid Waste Management Board will hold a public hearing on proposed amendments to 329 IAC 3.1, concerning amendments to the rules for hazardous waste management at 329 IAC 3.1, commonly known as the 2002 Hazardous Waste Annual Update. Additional information regarding this action may be obtained from Steve Mojonier, Rules, Planning and Outreach Section, Office of Land Quality, (317) 233-1655 or (800) 451-6027 (in Indiana).

Proposed Rules

Air Pollution Control Board

LSA #02-336, 26 IR 3089

326 IAC 20-49, 20-50, 20-51, 20-52, 20-53, 20-54, and 20-55

This rules adds 326 IAC 20-49, 326 IAC 20-50, 326 IAC 20-51, 326 IAC 20-52, 326 IAC 20-53, 326 IAC 20-54 and 326 IAC 20-55 concerning national emission standards for hazardous air pollutants (NESHAP) for new and existing plant sites for pulp and paper mills (combustion), some emission units at petroleum refineries, manufacturing of nutritional yeast, cellulose manufacturing, leather finishing operations, wet formed fiberglass mat production, and tire manufacturing. This rule is effective 30 days after filing with the secretary of state. Notice is hereby given that on September 3, 2003 at 1:00 p.m., at the Indiana Government Center-South, 402 West Washington Street, Conference Center Room C, Indianapolis, Indiana the Air Pollution Control Board will hold a public hearing on proposed new rules 326 IAC 20-49, 326 IAC 20-50, 326 IAC 20-51, 326 IAC 20-52, 326 IAC 20-53, 326 IAC 20-54, and 326 IAC 20-55. Additional information regarding this action may be obtained from Gayla Killough, Rule Development Section, Office of Air Quality, (317) 233-8628 or (800) 451-6027 (in Indiana).

LSA #03-70, 26 IR 3092

326 IAC 1-4-1

Amends 326 IAC 1-4-1 concerning redesignation of Lake County to attainment for PM₁₀. This rule becomes effective 30 days after filing with the secretary of state. Notice is hereby given that on September 3, 2003 at 1:00 p.m., at the Indiana Government Center-South, 402 West Washington Street, Conference

Center Room C, Indianapolis, Indiana the Air Pollution Control Board will hold a public hearing on proposed amendments to 326 IAC 1-4-1. Additional information regarding this action may be obtained from Chris Pedersen, Rule Development Section, Office of Air Quality, (317) 233-6868 or (800) 451-6027 (in Indiana).

Water Pollution Control Board

[LSA #02-327, 26 IR 3093](#)

327 IAC 5-1-1.5, 327 IAC 15-3-2 and 327 IAC 15-4

Amends 327 IAC 5-1-1.5 and 327 IAC 15-3-2 and adds 327 IAC 15-4 concerning on-site residential sewage discharging disposal systems in Allen County. This rule becomes effective 30 days after filing with secretary of state. Comments must be postmarked, hand delivered, or faxed by June 21, 2003. Notice is hereby given that on July 9, 2003 at 1:30 p.m., at the Indiana Government Center-South, 402 West Washington Street, Conference Center Room A, Indianapolis, Indiana the Water Pollution Control Board will hold a public hearing on proposed new rule 327 IAC 15-14 and amendments to rules concerning on-site residential sewage discharging disposal systems in Allen County. Additional information can be obtained from MaryAnn Stevens, Rules Section, Office of Water Quality, (317) 232-8635 or (800) 451-6027 (in Indiana).

First Notice

Water Pollution Control Board

[LSA #03-128\(WPCB\), 26 IR 3164](#)

327 IAC 2 and 5

The Indiana Department of Environmental Management (IDEM) is soliciting public comment on amendments to 327 IAC 2, water quality standards, and 327 IAC 5 NPDES and pretreatment programs concerning E. coli criteria an implementation procedures. IDEM seeks comment on the effected citations listed and any other provisions of Title 327 that may be effected by this rulemaking. Comments must be postmarked, faxed or hand delivered by July 30, 2003. Additional information regarding this action may be obtained from Kiran Verma, Rules Section, Office of Water Quality, (317) 234-0986 or (800) 451-6027 (in Indiana).

[LSA #03-129\(WPCB\), 26 IR 3166](#)

327 IAC 1; 2-1; 2-1.5; 2-4; and 5-2

The Indiana Department of Environmental Management (IDEM) is soliciting public comment on the amendment of rules in Title 327 concerning water quality standards, methods, and implementation procedures. This rulemaking has been named "fast track" because the regulatory issues involve minimal controversy allowing the rulemaking to proceed along a fast track. It is contemplated that at junctures during the rulemaking process some of the initially identified fast track issues may need more discussion and, therefore, would need to be reserved for a separate rulemaking. IDEM seeks comment on the affected citations listed and any other provisions of Title 327 that may be affected by this rulemaking. Comments must be postmarked, faxed or hand delivered by July 30, 2003. Additional information regarding this rulemaking action may be obtained from MaryAnn Stevens, Rules Section, Office of Water Quality, (317)232-8635 or technical information concerning fast track may be obtained for John Elliott, Permits Section, (317) 233-0703 or David Kallander, Water Quality Section, (317) 233-2472 or (800) 451-6027 (in Indiana).

[LSA #03-130\(WPCB\), 26 IR 3171](#)

327 IAC 5-3.5

The Indiana Department of Environmental Management (IDEM) is soliciting public comment on the development of a new rule to address the need for variance from the existing water quality standards for mercury in wastewater discharges permitted under the National Pollutant Discharge Elimination System (NPDES) program. If a variance process for mercury were to be established through rulemaking, it would not be available for new or recommencing discharges within the Great Lakes Basin. It would, however, be available for use by existing dischargers within the Basin. The mercury variance would also be available to new and existing dischargers outside the area of GLI authority. Note that the term "GLI" refers to the Great Lakes Initiative rules that apply to dischargers within the Great Lakes Basin. IDEM seeks comments on the effected citations listed and any other provisions of Title 327 that may be affected by this

rulemaking. Comments must be postmarked, faxed or hand delivered by July 30, 2003. Additional information regarding this rulemaking action may be obtained from MaryAnn Stevens, Rules Section, Office of Water Quality, (317) 232-8635 or (800) 451-6027 (in Indiana) or technical information concerning mercury may be obtained from Steve Roush, Industrial Permit Section, Office of Water Quality, (317) 232-8706 or (800) 451-6027 (in Indiana).

Second Notice

Air Pollution Control Board

[LSA #00-236\(APCB\), 26 IR 3151](#)

326 IAC 7-1.1-1; 7-1.1-2; 7-2-1; 7-4-1.1 and 7-4.1

The Indiana Department of Environmental Management (IDEM) has developed draft rule language for amendments to sulfur dioxide (SO₂) emission limitations in Lake County, Indiana. By this notice, IDEM is soliciting public comment on the draft rule language. In this draft rule, the requirements in the table in 326 IAC 7-4-1.1 have been divided into separate section for each company for clarity and ease of future rule actions. This new rule, 326 IAC 7-4.1, will replace 326 IAC 7-4-1.1, which will be repealed. Additionally, IDEM has identified changes that are required to correct and update information associated with the Lake County table in 326 IAC 7-4-1.1. Such changes may include providing updates to company names, updates to emission limits currently in permits, deletion of companies that are already covered by the natural gas limits or other corrections or updates. Due to the changes in section numbers, references to citations in other parts of the article have also been updated. IDEM seeks comment on the affected citations listed and any other provisions of Title 326 that may be affected by this rulemaking. This notice requests the submission of comments on the draft rule language, including suggestions for specific revisions to language to be contained in the draft rule. Comments must be postmarked, hand delivered or faxed by July 2, 2003. Additional information regarding this action may be obtained from Chris Pedersen, Rules Development Section, Office of Air Quality, (317) 233-6868 or (800) 451-6027, press 0, and ask for 3-6868 (in Indiana).